

REMARKS

Claims 1-5 are all the claims pending in the application. Claim 1 has been amended based on page 8, lines 27-30 and Figure 3 of the specification.

Entry of the above amendments is respectfully requested.

Claims 1-5 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Wenz Jr. (US 4,731,004); claims 1-5 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Peiffer et al. (US 5,716,570) in view of Wenz Jr.; and claims 1, 3, and 4 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hoagland et al. (US 3,825,383) in view of Peiffer et al.

Applicants respectfully traverse the rejections for the reasons of record.

Additionally, with respect to Wenz Jr., the Examiner focuses and argues that the "taper" language suggests the claimed configuration. In this regard, the Examiner cites to specific disclosure in Wenz Jr. as supporting his position that the claimed configuration would be achieved and sets forth a hypothetical configuration at page 9 of his answer.

Applicants respectfully disagree.

Based on the disclosure of Wenz Jr., the Examiner's hypothetical configuration would not be achieved. Particularly, the Examiner appears to rely disclosure at col. 6, lines 45-51, col. 9, lines 18-21, and col. 9, lines 44-47, where the words "taper, fading, fade out", etc. are used. However, the Examiner appears to ignore the disclosure that:

"The common edge of the materials are *co-mingled* and joined together to form a single uniform thickness film". Col. 2, lines 21-24.

Perhaps more importantly, the Examiner ignores the disclosure that:

"If the shape of the barrier allows one material to reach a point on the top of the teardrop shaped area while the other material reaches the point on the bottom

directly below the top point, an intermix of the material will occur to create a taper at the joint. If clear and opaque materials are co-extruded side-by-side, the intermix will create a fading effect from clear to opaque..." Col. 6, lines 45-52.

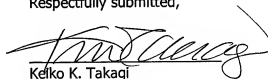
The above disclosure teaches that when one resin is on top of the other resin, a taper is created. Thus, a configuration where one resin is enclosed by the other is not obtained. Accordingly, the Examiner's hypothetical configuration is not disclosed, taught or suggested by Wenz Jr., and it would not be achieved.

Accordingly, it is respectfully submitted that, contrary to the Examiner's position, Wenz Jr. does not disclose the claimed configuration.

In view of the above and for the reasons of record, it is respectfully submitted that claim 1 and the claims depending therefrom are patentable over the cited art.

Reconsideration and withdrawal of the rejections is respectfully requested. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Kefko K. Takagi
Registration No. 47,121

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: October 13, 2009